

## **Assembly Bill No. 2654**

### **CHAPTER 107**

An act to amend Section 66281.5 of the Education Code, relating to postsecondary education.

[Approved by Governor July 25, 2016. Filed with  
Secretary of State July 25, 2016.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 2654, Bonilla. Postsecondary education: Equity in Higher Education Act.

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education and their respective institutions of higher education. A provision of the act applies to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make the provision applicable.

A portion of the Donahoe Education Act known as the Equity in Higher Education Act requires, among other things, each postsecondary educational institution in the State of California to have a written policy on sexual harassment. Existing law requires the postsecondary educational institution's written policy on sexual harassment to include information on where to obtain the specific rules and procedures for reporting charges of sexual harassment and for pursuing available remedies.

This bill would require a postsecondary educational institution to post its written policy on sexual harassment on its Internet Web site. The bill would require the policy to include information on the complaint process and the timeline for the complaint process. The bill would require the policy to include information on where to obtain the specific rules and procedures for pursuing available remedies and resources, both on and off campus. By requiring community colleges to include additional information in their written policies on sexual harassment and to post the policies on their Internet Web sites, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 66281.5 of the Education Code is amended to read:

66281.5. (a) It is the policy of the State of California, pursuant to Section 66251, that all persons, regardless of their sex, should enjoy freedom from discrimination of any kind in the postsecondary educational institution of the state. The purpose of this section is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies.

(b) Each postsecondary educational institution in the State of California shall have a written policy on sexual harassment, including information on the complaint process and the timeline for the complaint process, which shall be available on its Internet Web site. It is the intent of the Legislature that each educational institution in this state include this policy in its regular policy statement rather than distribute an additional written document.

(c) The postsecondary educational institution's written policy on sexual harassment shall include information on where to obtain the specific rules and procedures for reporting charges of sexual harassment and for pursuing available remedies and resources, both on and off campus.

(d) A copy of the postsecondary educational institution's written policy on sexual harassment shall be displayed in a prominent location in the main administrative building or other area of the campus or schoolsite. "Prominent location" means that location, or those locations, in the main administrative building or other area where notices regarding the institution's rules, regulations, procedures, and standards of conduct are posted.

(e) A copy of the postsecondary educational institution's written policy on sexual harassment, as it pertains to students, shall be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session, as applicable.

(f) A copy of the postsecondary educational institution's written policy on sexual harassment shall be provided for each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired.

(g) A copy of the postsecondary educational institution's written policy on sexual harassment shall appear in any publication of the institution that sets forth the comprehensive rules, regulations, procedures, and standards of conduct for the institution.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.